

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Ousmane BAH,

Plaintiff

19 -cv- 3539 (PKC)

-against-

SCHEDULING ORDER

APPLE INC, et al.

Defendants.

CASTEL, District Judge:

WHEREAS, defendant(s) has/have expressed an intent to move to dismiss the
Rule 12(b)(2) ad
complaint pursuant to Rule 12(b)(6), Fed. R. Civ. P., on the basis set forth in a pre-motion letter.

WHEREAS, plaintiff(s) has/have been offered the opportunity to amend the
and have already done so,
pleading in response to the pre-motion letter, ~~but does not wish to do so.~~

NOW, therefore, as a result of a Rule 16 conference held today, the following is

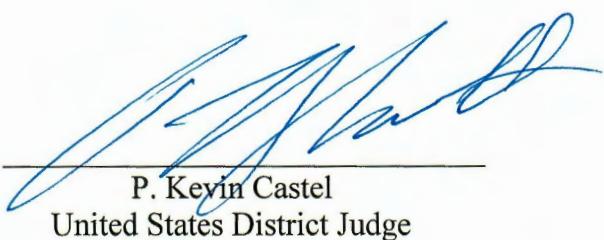
ORDERED:

1. Defendant(s) may file its motion to dismiss by July 31, 2019.
Plaintiff(s) shall respond to the motion by September 11, 2019. Any reply by
defendant(s) shall be filed by September 27, 2019.

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2. Rule 16(b)(3)(A) provides that a Court's "scheduling order must limit the time to . . . amend the pleadings. . . ." Pursuant to that authority, the Court hereby limits the time to amend the complaint as of right or move to amend to the later of the following: (a) the date to amend as of right under Rule 15, Fed. R. Civ. P., or (b) 21 days from the filing of the motion to dismiss.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York

6-18-19

Discovery is stayed.